

**From:** Marcus Mackey  
**To:** Microsoft ATR  
**Date:** 1/18/02 7:43am  
**Subject:** Microsoft Settlement

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As a 26 year old college alumni, I've been using computers for a large portion of my life. From the Commodore 64/128 to the Apple II to various PC's (my own and schools), Mac's (my own and schools), my old Commodore Amiga, and even onward and upward to Unix, Linux, et al. As someone that's used multiple platforms, I can honestly tell you that the state of the computer industry has been a fallacy for numerous years due to lack of government intervention into anti-competitive business tactics.

The previous settlement with Microsoft, in which plans were designed to bring hundreds of thousands of Windows PC's into the lower income schools where a lack of equipment puts them lightyears behind what other students has initially sounds like a good idea. That is until you consider the fact that this exacerbates the problem, allowing Microsoft to get away with further improving their marketable stance, weaseling their way into a market that is currently held by one of their largest and fiercest remaining competitors; Apple.

With this said, what do I perceive should be done? For one, Microsoft should not be sent on their merry ways with a slap on the wrist. If they have been found to be guilty, allowing them to go on with a minimal settlement will do nothing other than strive them of cash that as a billion dollar company, is a mere slap on the wrist. The originally proposed plan to split Microsoft still at this stage sounds like one of the only solutions to bring any form of sanity into the U.S. And International computer economy.

This is becoming and ongoing, outward moving, and even larger threat as Microsoft, like a plague, continues to expand, grow, attempting to conquer, quell, crush, and destroy any semblance of competition that stands in their way. From their efforts at releasing a game console to beat Sony, to attempting to knock off 3Com's spun-off Palm division. To attempts at beating Apple, attempts to destroy what remaining computer makers that exist outside of their reach as in the recently publicized anti-competitive tactics Microsoft took against Silicon Graphics (SGI), and most recently in an article published on The Register, their purchase of much of SGI's 3D graphics standards, which allows them to destroy the OpenGL standard and ultimately work at pushing Microsoft's own Direct3D as the progenitor, not via competition, but via conquering.

The gloom nature of the OpenGL purchase is such, that Microsoft will have complete control over all 3D standards, including the OpenGL standard which companies such as Apple, SGI themselves, and various game card developers have depended on. Apple of which has integrated the OpenGL architecture into their latest operating system, and one of the last major competitors to the Windows franchise, in Mac OS X.

Microsoft's Internet Explorer has all but killed off and rendered Netscape a shadow of what it was, via highly anti-competitive practices. Opera is but a miniscule player, as are browsers such as iCab, and OmniWeb, which are both Macintosh specific browsers further miniaturizing their competitive abilities. Noone can compete against Microsoft in key areas where they bully their way in.

Whose left? Sun Microsystems, who painted into a corner watches as the onslaught of Microsoft, Intel (another anti-competitive and monopolistic player over the years), Dell, Compaq, and others continue to attempt to widdle away at Sun's marketing edge, using more scalable versions of Windows to attempt to do what Solaris can. SGI, which is quickly eroding away into nothing, amidst uncertainties, slow sales, and inability to retain it's focus for any semblance of a future lies struggling, writhing to reclaim some semblance of ability to compete. Apple, funded by Microsoft, dependant on Microsoft products like Word, Excel, Powerpoint, and Internet Explorer; and ability to integrate into PC-controlled MS Exchange servers to use Outlook, Entourage, or Outlook Express to connect. How does Apple survive under these premises when competitors independent now suffer, struggle, wither, and look at the grim potentials?

This is why, as the DOJ, it is your imminent obligation to "PROTECT" the economy, the people of this great nation. If Microsoft does take control, which they're already well on the way to doing (as they already dominate the market as it stands), they can stifle any semblance of innovation, control pricings far worse than they do now, and ultimately turn this country into a country whose economy, once largely based in computers, sits wrenching and bellyaching; as the potential to slay the monolithic dragon Microsoft could become in their anti-competitive ability to lie dormant, stagnant. Keeping Microsoft on their toes, forcing them to innovate rather than duplicate, then bully via their massive heft to assure that the market remains theirs. It is time for a computer world with a decisively larger marketshare. One with more than Windows. One that allows companies like Apple, Sun, HP (via HP/UX), SGI, IBM (via AIX), Palm, et al. To compete against Microsoft on all levels. To not allow Microsoft to win by default via bullying, beating, and pounding their competition to death.

Is having the world of computers tied to a single company healthy? From the Melissa virus, to various worms, to the problems with Microsoft's .NET strategy; problems that affect Microsoft and Microsoft alone; does having 90% of the world's computing tied to Microsoft make sense? When a virus that affects Windows can't affect the Mac (unless it runs Windows via VirtualPC), can't effect PalmOS, can't affect a Linux box (unless it runs a Windows compatibility layer like WINE)... The point is, if a choice is given, which hasn't been an option since the early 1990's; and if there's limited choice in the web browser market as having a browser "tossed in the box" as IE is on PC, and as it ships default on Mac OS CD's (although it's easier to choose the option on the Mac; yet the alternatives are no longer as promising because it's difficult for them to compete with a free browser like IE from a company that does it to control their own destiny), choice in what machines you can run, choice in having those said browsers, office programs, etc. etc. available on all platforms that remain viable (such as Solaris, Irix, Linux, Unix, QNX, Mac OS, Palm OS, Windows) in some guise... You rectify the problem.

My personal solution, is that what should happen is this. Microsoft should be split into two factions, one that develops applications like IE, Office (Word, Excel, Powerpoint, Access, Entourage) Outlook, Outlook Express, FrontPage, Publisher, Media Player. The other faction should be Windows for varying platforms (PC, Pocket PC, etc.). From there, Microsoft should be forced to release the source code to the Windows API's, the Application Plug-in Interfaces. API's are the cornerstone to compatibility, and with those being openly available in the market; other companies such as Apple, Sun, SGI can roll Windows-compatibility into their systems with limited performance degradations (applications written for Windows could be recompiled with those API's on all subsequent platforms).

The Application division would still be allowed to build all versions of their software as previous. The Windows division, wholly removed from the Application tie, would be forced to either a) innovate by competing with the competition with all of the same applications available (further forcing Microsoft to prove they can innovate and compete without bullying, which in effect would teach them a lesson if they couldn't); b) it would also give Microsoft an immediate leg-up as they'd still be the first to have full Windows application compatibility remaining, however they'd have to rework their system to support a lack of IE-integration; c) it would also allow variants of Linux to step-up to the plate, and work on their own Open-source alternatives to Windows, and in turn give the Windows division another competitor. Currently Linux struggles to compete against Microsoft because key programs, like Office, IE, Frontpage, Publisher do not exist or are not offered by Microsoft. Doing what the government can to split the market up as much as possible, and bring in a greater degree of competition is almost like "resetting" the market to where it was before Microsoft leveraged and bullied their way to the top (which is where we're at now, market domination and saturation); which imminently was due to the Federal Government's lack of participation, analyzation, and studies into the business acts of companies that deserve extreme scrutiny.

Band-aid's won't help... And while Judge Pinfield-Jackson's rulings might be perceived as hasty and ill-advised, so is any light smack on the wrist, light dent into the personal pocketbook, when compared to the business tactics and atrocities Microsoft has achieved over the year's through their own brand of bullying, bulldozing, and brandishing of competitors as Microsoft has done through anti-competitive tactics. From vaporware announcements, to destroying competition by undermining and undercutting (in the case of IE vs. Netscape). Microsoft's brand of competition must, I stress, MUST be stopped before casualties expand into Apple, Sun, SGI, and spread farther into their own blood in terms of Sony (who they supply Windows to for VAIO's, but compete against with X-Box), to beyond. Please read this and seriously consider "FORCING" Microsoft to innovate rather than copy and bully the competition. PLEASE, I beg you... Do the right thing, seek justice, and help reset the industry so that it might "FINALLY" be allowed to evolve in a logical sense that makes sense and doesn't leave us falling prey to damages from being stuck and tied to "one" entity in the end.

Sincerely,

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